

Strahan Village Estates

City of El Paso — City Plan Commission — 6/14/2018

SUSU15-00027— Major Final (Reinstatement)



STAFF CONTACT: Jim Henry, (915) 212-1608, henryjj@elpasotexas.gov
PROPERTY OWNER: Issa Khlayel & Ahmad Khlayel
REPRESENTATIVE: Del Rio Engineering
LOCATION: North of Borderland and West of Strahan, (ETJ)
ACREAGE: 7.934
VESTED: No
PARK FEES REQUIRED: N/A
EXCEPTION/MODIFICATION REQUEST: N/A
RELATED APPLICATIONS: N/A
PUBLIC INPUT: N/A
STAFF RECOMMENDATION: Approval

SUMMARY OF REQUEST: In accordance with Section 19.41.040 – Reinstatement of the current code, the applicant is requesting a reinstatement of an expired application for a period of one year. The applicant submitted the request within 30-business days (afforded per the applicable code section) of the date of expiration. According to the applicant, the delay in the installation of the improvements is primarily due to an El Paso Water project along Strahan Road. Staff did receive confirmation from El Paso Water that there was a project along Strahan Road to replace a 36" transmission main; the project was completed on November 9, 2017. Per the applicant, the new water main needed to be installed so that there was an available water main for the subdivision to connect to. In addition, the applicant contends that the County requested several changes to the subdivision and there were several existing structures that needed to be demolished, which also contributed to the delay in the construction of the improvements. The proposed subdivision will result in 34 single-family lots and a .577-acre pond.

SUMMARY OF RECOMMENDATION: Planning staff recommends **approval** of the reinstatement of Strahan Village Estates, as the applicant has provided legitimate reasons for the delay in installing the improvements and the recording of the final plat. Likewise, the request satisfies the requirements outlined in Section 19.41.040 – Reinstatement of the current code. In addition, the request is in line with the County's "Concurrence of Construction" letter dated June 6, 2018 which is valid for six-months (see attachment 5, pgs. 8 - 9).



19.41.040 – REINSTATEMENT

A. Unless otherwise provided by this title, an applicant may request reinstatement of an expired application by filing a written request with the approving authority within thirty business days of the date of expiration. The request for reinstatement shall include a statement of the reasons why the application should be reinstated and extended. A request for reinstatement shall be processed and decided in the manner provided for an extension of an expiration period for more than one year. The expiration date shall not be extended for more than two years from the date a complete application was officially submitted.

B. A reinstatement of an expired application is wholly discretionary, and the approving authority, in determining whether or not to grant reinstatement, shall consider any changes in development conditions in the area, new public health, safety and welfare concerns and regulations, and the application thereof to development of the land.

Staff did consider any changes in development conditions in the area, new public health, safety and welfare concerns, or regulations and found none that would be applicable to the request.

CASE HISTORY

This application was approved on a major preliminary basis by the City Plan Commission on May 17, 2012.

Land Development approved the subdivision Improvement plans on April 2, 2015.

This application was approved on a major final basis by the City Plan Commission on April 23, 2015.

NEIGHBORHOOD CHARACTER: The subject property is located within the City's Extraterritorial Jurisdiction (ETJ); therefore, it is not zoned. The adjacent land use consists mostly of farming / agriculture. The nearest park is Haciendas del Rio (.29 miles to the NW) The nearest school is Jose Damian Elementary (.7 mi to the South) The subject property is located within the Westside Impact Fee Service Area, but not within the Upper Valley Planning Area.

STAFF COMMENTS:

Staff has no additional comments.

PLAT EXPIRATION:

This application will expire on **June 14, 2019** pursuant to Section 19.04.060 (Expiration and extension). If the final plat is not recorded within the specified date, the final plat approval, unless extended in accordance with Chapter 19.41 (Expiration, extension and reinstatement), shall expire and the applicable plat shall be deemed null and void.

ATTACHMENTS:

1. Preliminary Plat
2. Final Plat
3. Official Reinstatement Request
4. Reinstatement Request Letter / Approval Timeline
5. El Paso County Concurrence of Construction Letter
6. Department / Agency Comments

[illegible]

ATTACHMENT 3



Del Rio Engineering, Inc.

P.O. Box 220251

El Paso, Texas 79913

915/833-2400

TO: Nelson Ortiz
Subdivision Coordinator
Planning and Inspections | City of El Paso
300 N. Campbell
El Paso, Texas 79901

04/05/2018
J18-012

SUBJECT: J14-132 Strahan Village Estates: Request for Extension

Mr. Ortiz,

On behalf of our client, the Developer for Strahan Village Estates, under Chapter 19.41 -
EXPIRATION, EXTENSION AND REINSTATEMENT Section 19.41.030 – EXTENSION
PROCEDURES;

Del Rio Engineering is requesting a First Extension. The current Strahan Village Estates
application is set to expire on April 23, 2018. We are requesting one year extension to allow the
developer to complete the required improvements prior to recording the final plat. The reason for
the delay was due to pending water and sewer services by the EPWU along Strahan road and the
demolition of existing structures on the subject property.

Sincerely,

Sal Masoud, P.E.

Del Rio Engineering, Inc.

P.O. Box 220251

El Paso, TX, 79912

CC: Mr. Issa Khlayel

ATTACHMENT 4

Dear Nelson,

Following our last meeting regarding the above project, we are kindly requesting the **reinstatement** of the subdivision application status in accordance with the subdivision ordinance number 19.41.040.

Although the final plat was approved by CPC on April 23rd 2015 and because this project is within the ETJ area of the city of El Paso, we continued to receive comments from the County and that caused changes to be made. The final approval of the subdivision improvements plans was not complete until May 31st 2016.

Furthermore, the EPWU was actively constructing water and sewer projects along Strahan road in front of the project area during the **2017** year. This project was funded and managed by the United States Army Corps of Engineers. Karla Benitez was the project manager on behalf of the USACE. She would be able to provide you exact information regarding this project. Her contact number is 915-771-0109. See attached plan and profile drawings.

Approvals			
No.	Activity	Date	Notes
1	Final Plat approval by City Plan Commission	April 23, 2015	SUSU15-00027 Attachment 1
2	Fire Hydrant distribution	November 12, 2015	Attachment 2
3	Plans final approval	April 6, 2016	Land Development at CEP SIPS15-00013 Attachment 3
4	EPWU- PSB Water and Storm water	March 18, 2016	Attachment 4
5	Concurrence Letter	May 31, 2016	County Attachment 5

If you have any questions or comments, please do not hesitate to call.

Respectfully,
Sal Masoud, PE



For: **DEL RIO ENGINEERING, INC**
P.O. Box 220251
El Paso Texas 79913
[915/ 833-2400](tel:9158332400)

ATTACHMENT 5



COUNTY OF EL PASO
PUBLIC WORKS DEPARTMENT
800 E. OVERLAND RM 407
EL PASO, TEXAS 79901
(915) 546-2015
(FAX) (915) 546-8194

June 6, 2018
REVISED

Sal Masoud, P.E.
Del Rio Engineering
4031 Roadside Ct.
El Paso, Texas 79922

Re: Concurrence of Construction Strahan Village Estates (Case ID # 15-048)

Mr. Masoud,

The County of El Paso Public Works Department concurs with the revised Construction Drawings for Strahan Village Estates concurred on June 6, 2018 (Sealed on 05/31/18). However, please be advised that the County of El Paso has only performed a general review of the Construction Drawings. The Project Engineer remains responsible for any errors and/or omissions on the plans and to assure the Construction Drawings comply with the current County Subdivision Regulations and Design Standards. Any problems found during construction shall be rectified at no expense to the County, even if it was over-looked during the review process.

The County of El Paso concurs with the submitted documents for County requirements only. The water and sewer systems shall be coordinated and approved by El Paso Water Utilities. Owner and/or Project Engineer also remains responsible for compliance and registration with any other reviewing agencies (TDLR, TCEQ, etc.) having jurisdiction over the subject improvements. If any modifications to the grading and drainage plans are required to comply with ESD regulations, the plans will need to be resubmitted.

Prior to commencement of construction, a pre-construction meeting shall be held at the El Paso County Public Works Department. The following item shall be provided prior to holding the preconstruction meeting:

1. Certified Storm Water Pollution Prevention Plan with signatures.
2. Copy of the Notice of Intent and receipt from TCEQ for the TPDES General Permit.

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ATTACHMENT 5 Cont.

Strahan Village Estates (Case ID 15-048)
Concurrence of Construction Drawings
June 6, 2018

3. Approval letter from ESD
4. Approval letter from PSB

If the subdivision is not under construction within 180 calendar days from the date of this letter, the construction drawings may be subject to re-submittal for review at the County Engineer's discretion.

Should you have any questions, please do not hesitate to contact me at (915) 546-2015.

Sincerely,



Lidia Arias
Civil Engineer

ATTACHMENT 6

PLANNING & INSPECTIONS DEPARTMENT- PLANNING DIVISION

Developer / Engineer shall address the following comments:

1. Submit to the Planning & Inspections Department – Planning Division the following prior to recording of the subdivision:
 - a: Current certificate tax certificate(s)
 - b: Current proof of ownership.
 - d: Release of access document, if applicable.
 - e: Set of restrictive covenants, if applicable.
2. Every subdivision shall provide for postal delivery service. The subdivider shall coordinate the installation and construction with the United States Postal Service in determining the type of delivery service for the proposed subdivision. In all cases, the type and location of delivery service shall be subject to the approval of the United States Postal Service.

EL PASO WATER

NTP for this project was issued (by USACE) on 10/21/16. Substantial Completion for Phase I was reached 11/9/17. Contractor went back and completed punch-list items on 1/22/18.

El Paso County

The applicant had submitted the plat about 2 years ago but was never approved. The subdivision improvement plans were approved on May 31, 2016 conditional to construction being started within 6 months. Since they did not start within that time frame, the engineer (DRE) had to resubmit and is currently under review by the County.